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FORM PTO 1390
(REV 10-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

114750.2500

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/869395

INTERNATIONAL APPLICATION NO.
PCT/EP99/09296

INTERNATIONAL FILING DATES
30 November 1999 (30.11.99)

PRIORITY DATE CLAIMED
28 December 1998 (28.12.98)

TITLE OF INVENTION ORAL HYGIENE PRODUCT CONTAINING SPHERICAL MICROPARTICLES ON THE BASIS OF LINEAR WATER-INSOLUBLE POLYGLUCANS

APPLICANT(S) FOR DO/EO/US

BENGGS, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to promptly begin national examination procedures (35 U.S.C. 371 (f)).
4. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 16 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 & 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: International Search Report



U.S. APPLICATION NO. (if known, see 37 CFR 1.51) 09/869395		INTERNATIONAL APPLICATION NO. PCT/EP99/09296	ATTORNEY'S DOCKET NUMBER 114750.2500
17. <input checked="" type="checkbox"/> The following fees are submitted:			CALCULATIONS PTO USE ONLY
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)):			
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$1000.00			
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$860.00			
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$710.00			
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)\$690.00			
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00			
ENTER APPROPRIATE BASIC FEE AMOUNT =			\$ 860 00
Surcharge of \$ _____ for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).			\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	13 - 20 =	0	x 9.00
Independent claims	2 - 3 =	0	x 40.00
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			x 270.00
TOTAL OF ABOVE CALCULATIONS =			\$ 86000
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			\$
SUBTOTAL =			\$ 86000
Processing fee of \$ _____ for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). +			\$
TOTAL NATIONAL FEE =			\$ 86000
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31) (_____ per property). +			\$
TOTAL FEES ENCLOSED =			\$ 86000
			Amount to be Refunded: \$
			Charged: \$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>860.00</u> to cover the above fees is enclosed.			
b. <input type="checkbox"/> Please charge my Deposit Account No. <u>50-0436</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.			
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to my Deposit Account No. <u>50-0436</u> . A duplicate copy of this sheet is enclosed.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO:			
PEPPER HAMILTON LLP Hamilton Square 600 14 th Street, NW Washington, D.C. 20005-2004		SIGNATURE: <u><i>Gilberto M. Villacorta</i></u> 35,753 Gilberto M. Villacorta, Ph.D. NAME 34,038 REGISTRATION NUMBER DATE: <u>June 28, 2001</u>	

DC: #189884 v1 (425K011.DOC) 114750-2500